

REMARKS

Claims 1-7 and 9-20 are pending and rejected in the above-identified application. Claims 1, 3, 10, and 18-20 were amended, and claims 21 and 22 were added. Thus, Claims 1-7 and 9-22 are at issue in the above-identified patent application.

Claims 1-5, 7, 9-14, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Furlong* (U.S. Publication No. 2002/0123824) and *Ali* (U.S. Patent No. 6,549,818) and in further view of *Hughes* (U.S. Patent No. 6,892,196). Claims 6 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Furlong* and *Ali* and *Hughes*, as applied to claims 1-5, 10-14 and 20 above, and further in view of *Abrams et al.* (U.S. Patent No. 6,587,739), previously sited in paper #7. Claims 16, 17 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Furlong* and *Ali* and *Hughes*, as applied to claims 1-5, 10-14 and 20 above, and further in view of *Krichilsky et al.* (U.S. Publication No. 2002/0152200). Applicant respectfully traverses these rejections.

As amended, independent claims 1 recites "selecting, via a web page, a plurality of recipe programs associated with an intelligent appliance, wherein the plurality of recipe programs are a subset of recipe programs chosen from a group of recipe programs available to be chosen for the intelligent appliance." Applicant submits that none of the cited references teach this feature. More particularly, *Furlong* simply teaches that a recipe program may be obtained based on a scanned label. *Ali* teaches that recipes may be downloaded by a user from the internet (and potentially modified based on a user profile in the appliance). However, neither of these references, or any of the other cited references, teach or suggest that a subset of recipe programs for downloading to an intelligent appliance may be chosen via a website from a larger group of available recipe programs.

In addition, Applicant also submits that the cited references do not teach "storing the selection of the plurality of recipe programs in a user profile at a location remote from the intelligent appliance," as recited in claim 1. The Examiner asserts that *Ali* teaches storing recipes based on a user profile. However, *Ali* discloses only that a user profile containing user preferences may be used to modify downloaded recipe programs. *Ali* does not teach or even suggest that the information regarding which recipe programs were selected is actually stored in the user profile. Moreover, as the user profile in *Ali* is stored in the appliance itself, there would in fact be no reason to store the selection of the recipe programs in the user profile. By contrast, claim 1 requires storing the selection of the plurality of recipe programs in a user profile. Accordingly, for the reasons above, Applicant submits that claim 1 is condition for allowance. For similar reasons, Applicant also submits that independent claims 8, 10, and 18-20 are also in condition for allowance.

Applicant has also added new claims 21 and 22 that depend from claim 1. Claim 21 recites that "downloading at least one of the plurality of recipe programs to the intelligent appliance includes updating the intelligent appliance any of the plurality of recipe programs that were not already stored in the intelligent appliance." Claim 22 recites that "a maximum number of the plurality of recipe programs that may be selected via the web page is based on a size of a memory in the intelligent appliance." Applicant submits that these limitations are also not taught by any of the cited references, and therefore claims 21 and 22 are allowable over the prior art for these reasons in addition to those discussed above for claim 1.

With regards to claim 7, Applicant had explained in a prior response that the cited art did not teach either "an appliance identifier element linked to the user identifier element" or "a plurality of recipe program elements linked to the appliance identifier element." The Examiner

had pointed to the appliance itself as disclosing the appliance identifier element. However, as Applicant previously explained, the mere presence of an appliance does not disclose or even suggest the use of an appliance identifier element. As there are not multiple appliances in either *Furlong* or *Ali* connecting to one database, there is simply no teaching to associate any recipe programs in the database based on the type appliance. Moreover, because the cited references teach only a single appliance that can connect to the relevant database, there is no need to identify the appliance. Accordingly, Applicant submitted that claim 7, as well as dependent claim 9, was in condition for allowance.

In the prior response, Applicant requested the Examiner to identify specifically where the cited art disclosed an appliance identifier element if the Examiner continued to maintain this objection. However, although the Examiner does maintain the same rejection of claim 7 in the present office action, and continues to simply identify the appliance in *Ali* as an appliance identifier, the Examiner neither addresses the Applicant's argument nor provides any explanation of his rejection in light of Applicant's argument. If the Examiner continues this rejection, Applicant once again requests the Examiner to identify specifically where the cited art discloses an appliance identifier element for identifying an intelligent appliance and a plurality of recipe program elements linked to the appliance identifier element.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

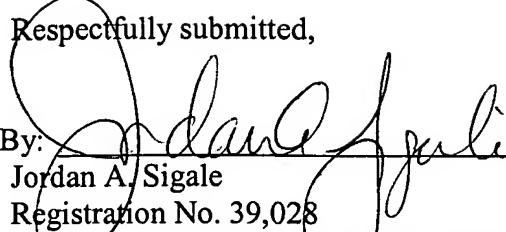
Response to October 17, 2005 Office Action

Application No. 10/003,041

Page 12

Dated: April 17, 2006

Respectfully submitted,

By: 

Jordan A. Sigale

Registration No. 39,028

SONNENSCHEIN NATH & ROSENTHAL LLP

P.O. Box 061080

Wacker Drive Station, Sears Tower

Chicago, Illinois 60606-1080

(312) 876-8000